REMARKS

I. Introduction

In response to the Office Action dated October 17, 2008, the claims have not been amended. Claims 1-32 remain in the application. Re-examination and re-consideration of the application is requested.

II. Prior Art Rejections

In paragraph (3) of the Office Action, claims 1-32 were rejected under 35 U.S.C. §102 as being anticipated by Trinh et al., U.S. Publication 2002/0051005 (Trinh).

> As to independent claims 1, 14, 27 and 31 (e.g. apparatus, method, system, computer-readable
> medium, etc), Trinh teaches apparatus for processing image data (par [0009]) comprising processing means (Abstract, lines 1-3; fig. 1, label 103; par [0027], lines 1-5), input means (fig. 1, labels 105, 106: par [0027], lines 9-15) and display means (fig. 1, label 104; par [0027], line 11), wherein said image data is defined by a plurality of data processing nodes arranged in a hierarchical structure and said processing means is configured to perform the steps of (figure 7): generating a first image frame of a clip of image frames (fig. 5, label 503; par [0037]) wherein a plurality of image components makes up the first image frame (fig. 7, label 700; par [0045-46]) by means of processing said plurality of data processing nodes (fig. 8, labels 805-808, 810; par [0049]-[0050]; outputting said first image frame to said display means (fig. 1, label 104; par [0027], line 11 ; fig. 8, label 827; par [0050], lines 21-22); receiving, via said input means (fig. 1, labels 105, 106: par [0027], lines 9-15; figure 7, labels 701-702, 714), first user input data indicating one of said plurality of image components (fig. 7, label 714); in response to said receiving, automatically selecting a first data processing node considered to be appropriate to said indicated component (par [0047-49,52 and 56] fig. 7, label 711 ; par [0046]) displaying editing tools relevant to said first data processing node (par [0056], lines 6-8; figure 7; par.46); and outputting said second image frame to said display means (fig. 1, label 104; par [0027], line 11; fig. 8, label 827; par [0050], lines 21 -22).
>
> Trinh teaches computer-readable medium comprising a computer program storage device (fig. 2, label 21 2) storing instructions that when read and executed by a computer, results in the computer performing a method for processing image data (par [0031]).
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> ...
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> As to independent claim 30, The rejection is as the same as the rejection of independent claims 11, 12 and 13 above.

Applicants note that both Trinh and the present invention are commonly owned by the same assignee, Autodesk Canada Inc. Further, attached are declarations from both inventors under 37 CFR §1.132 stating: to the extent that Trinh discloses the subject matter claimed in the above-identified patent application, those disclosures originated with or were obtained from the inventors of the present invention and not the inventors identified in Trinh. Such a declaration is sufficient under MPEP 2132.01 and 2136.06 to eliminate Trinh as a reference.

Accordingly, Trinh is no longer applicable as prior art with respect to the present invention. Applicants therefore submit that independent claims 1, 14, 27, and 31 are allowable. Further, dependent claims 2-13, 15-26, 28-29, and 32 are submitted to be allowable in the same manner, because they are dependent on independent claims 1, 14, 27, and 31, respectively, and thus contain all the limitations of the independent claims.

III. Conclusion

In view of the above, it is submitted that this application is now in good order for allowance and such allowance is respectfully solicited. Should the Examiner believe minor matters still remain that can be resolved in a telephone interview, the Examiner is urged to call Applicants' undersigned attorney.

Respectfully submitted,

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